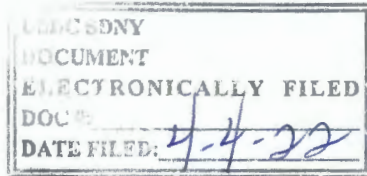




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April 2, 2022

DELIVER VIA ECF

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: **United States v. Ofer Abarbanel**
21 Cr. 532 (LAK)

Dear Judge Kaplan:

We represent Ofer Abarbanel in the above-referenced matter. We are presently scheduled to appear before the Court for a status conference on August 6, 2022, at 10 a.m. As Your Honor may recall, the Court granted the parties' joint request for an adjournment to the motions schedule so that we could begin discussions about a potential resolution to the matter based on information the defense learned over the course of our review of the evidence. Those conversations continue in earnest, but the parties agree that, in the interest moving the matter along, we should proceed on parallel tracks and set a motions schedule at the April 6th conference.

We write to make two requests. First, as Your Honor may recall, our client was released on bail – and has abided by all the conditions of his release – and resides in Los Angeles, California with his family. He is indigent, which is why he has appointed counsel, and it would be a burden to travel to New York at his own expense, nor does it seem prudent to request U.S. Marshal Service's reimbursement for travel for a status conference which I expect to be only about our schedule. Because of the non-substantive nature of this conference, we respectfully request that our client be permitted to waive his in-person appearance and participate in the conference via telephone or video (whatever is preferred by the Court). If permitted, our client will participate from my firm's office in Los Angeles where he will be accompanied by my partner Nimi Aviad, who is assisting with this matter. Second, if the Court agrees, we would respectfully request that the Court consider moving the conference later in the day to accommodate the time difference with the west coast. The Government has no objection to these requests.

Respectfully submitted,

Glen G. McGorty

Cc: AUSA Christopher Clore, SDNY

4-4-22